

To: Wharton, Steve[Wharton.Steve@epa.gov]; Sisk, Richard[Sisk.Richard@epa.gov]
From: Schmittdiel, Paula
Sent: Wed 9/3/2014 10:32:31 PM
Subject: RE: FW: Sampling in Silverton the week of Sept 22

.....
??????

I would think that we can't prevent him from filming in our capacity as a government employee – especially if he either films on public lands or has permission from a property owner.

Paula Schmittdiel

Remedial Project Manager

U.S. Environmental Protection Agency

1595 Wynkoop St.

Denver, CO 80202

Office: 303-312-6861

Fax: 303-312-7151

Cell: 720-951-0795

From: Wharton, Steve
Sent: Wednesday, September 03, 2014 4:27 PM
To: Sisk, Richard
Cc: Schmittdiel, Paula
Subject: RE: FW: Sampling in Silverton the week of Sept 22

Richard – In addition to site access, wouldn't Mr. Schillaci need to obtain consent from individual EPA employees and our contractor employees to video them, if their images are at a scale and resolution where they are easily identifiable and the activities are taking place on private land (i.e., not in a public space)?

From: Schmittdiel, Paula
Sent: Wednesday, September 03, 2014 4:09 PM
To: Hestmark, Martin; Stavnes, Sandra; Wharton, Steve; Murray, Bill; Sisk, Richard; Rudy, Michael; Peterson, Cynthia; Faulk, Libby; Way, Steven; Brent Lewis (Brent.Lewis@blm.gov); doug.jamison@state.co.us; warren.smith@state.co.us; Vanessa LaCayo (vlacayo@blm.gov); Shannon Borders (sborders@blm.gov); Zillich, Cathleen
Cc: Wall, Dan
Subject: FW: FW: Sampling in Silverton the week of Sept 22

It seems that we are going to be filmed in several places the week of Sept. 22nd – at least some of us. Any thoughts?

Paula Schmittdiel

Remedial Project Manager

U.S. Environmental Protection Agency

1595 Wynkoop St.

Denver, CO 80202

Office: 303-312-6861

Fax: 303-312-7151

Cell: 720-951-0795

From: Tom Schillaci [mailto:] **Personal Email/Ex. 6**

Sent: Wednesday, September 03, 2014 4:03 PM

To: Wall, Dan

Cc: Schmittiel, Paula; Peter Butler; Auer, Steven

Subject: Re: FW: Sampling in Silverton the week of Sept 22

Thanks, Dan.

Yes, I have been documenting some of ARSG's projects and initiatives since 2001. Earlier this year, I produced a 12.5 minute video that covers the Good Samaritan liability issues when cleaning up abandoned and inactive draining mines.

See the video here: <http://youtu.be/XkjFdgshv1Y>

This summer, I have been collecting footage that may some day be used to tell the story of the point source issues in Upper Cement Creek. For instance, I have some good footage of the Red & Bonita mine draining at a rate of about 300 gallons per minute. Consider that a "before" shot. If there is a bulkhead installed in Red & Bonita, that footage would be a nice comparison to show the initial drop in volume the bulkhead provided. (I can show EPA the footage at the open house in Silverton.)

Regarding video taping sampling events, we feel the viewer needs to also see the work that goes into determining courses of action. Showing people collecting data is an important piece of the story.

We are still determining the main focus of a new video, but in a general sense, we could say it's a story of how a community, federal and state agencies work together to deal with legacy point source draining mines that degrade aquatic habitat downstream.

And I just found out today, that I am allowed to video tape the La Plata Board of County Commissioners' meeting on September 24 for a discussion with EPA on the state of the Upper Animas River. I did also video tape the San Juan County BOCC's Q&A with the EPA regarding

Superfund listing.

I have submitted grant applications at the Ballantine Family Foundation, from the newspaper in Durango, and the R.H. Crossland Foundation, a family trust, also in Durango. I should hear about these grant applications in late September or into October.

I hope this information helps. I will be in contact the week before September 22.

Thanks again.

Tom Schillaci 970-946-9676

On Wed, Sep 3, 2014 at 12:28 PM, Wall, Dan <wall.dan@epa.gov> wrote:

Hi Tom

I apologize for not getting back to you sooner but I missed some work last week. I do not have a problem with you recording some of our work the week of Sept 22.

But, please be aware that EPA has secured consents for access with the land owners for our sampling events. These consents cover EPA and their representatives but do not cover your presence and technically you could be considered trespassing unless you obtain your own permission. That said, some of our sampling locations are on public land.

I am not sure exactly what you would like to see, but this Fall's event is large and covers an extended area with several participating entities. Our core teams will be travelling to Silverton on September 22 and meeting in the afternoon/evening going over roles and responsibilities, sampling methods and logistics. Tuesday we will be splitting up into groups that will be sampling Cement, the Animas near Silverton and in the Canyon. Sampling continues until we are finished which will hopefully be Thursday evening.

We are currently revising our Sampling Plan to accommodate some last minute sampling requests but the majority of it is already described in the current version of the document I have shared with ARSG.

I would appreciate it if you could tell me more about the video project you are working on. Would you consider yourself the ARSG documentarian or is this more of your private project? Who's the target audience, and who's funding the project?

Please contact me as we get closer to the date for specific times and locations.

Dan Wall, PhD
Ecotoxicologist
Ecosystems Protection and Remediation
U.S. EPA Region 8 (8EPR-S)
1595 Wynkoop Street
Denver, CO 80202-1129

Office: [\(303\) 312-6560](tel:3033126560)

Cell: (303)-253-1659
FAX: (303) 312-7517

From: Tom Schillaci [mailto:] **Personal Email/Ex. 6**
Sent: Tuesday, August 26, 2014 9:12 AM
To: Wall, Dan
Subject: Sampling in Silverton the week of Sept 22

Hi Dan,

I'm the video guy with ARSG. Peter Butler thinks it might be a good idea if I get some video of your water sampling activities in and around Silverton, the week of September 22, when the next ARSG meeting is.

What is your schedule for where and when? And could I tag along with a video camera?

Thanks.

Tom

--

Thanks!

Tom Schillaci, Video Producer
970-946-9676

www.videosource.net

--

Thanks!

Tom Schillaci, Video Producer
970-946-9676

www.videosource.net